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Mitsutoshi Shinkai

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RADER FISHMAN & GRAUER PLLC  
LION BUILDING  
1233 20TH STREET N.W., SUITE 501  
WASHINGTON, DC 20036

EXAMINER

ZHAO, DAQUAN

ART UNIT

PAPER NUMBER

2621

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

***Response to Arguments***

1. Applicant's arguments filed 1/20/2010 have been fully considered but they are not persuasive.

Applicant argues, see page 6 of the remark, U.S. Pub. No 2007/0,009,231, specification paragraph 240, 258, 272 and 288 support the term "computer readable medium". However, the examiner does not see any of paragraphs 240, 258, 272 and 288 describes the term "computer readable medium". "In the start of the art, transitory signals are commonplace as a medium for transmitting computer instruction and thus, in the absence of any evidence to the contrary and give the broadest reasonable interpretation, the scope of a "computer readable medium" covers a signal per se." In order to overcome the 35 U.S.C. 101 rejection, the "computer readable medium" should be changed to "non-transitory computer readable medium".

Applicant argues, see page 8 of the remark, Abe, fail to teach a memory which stores **table** information including...**status information indicating a type of change pattern** of a value of the first position information as to each frame of the video data." The examiner disagrees.

Abe et al teach, see column 1, line 55- column 2, line 6, teach a File Time Code, FTC, is set to start at zero as recording start time and every time a frame of the audio/video signal to be recorded changes, **the value of the time code sequentially counted up** will be used. The server can read out the frame, from memory, based on the FTC. The invention of Abe et al **creates a management table**, figures 4 and figure 6, column 12, line 64- column 13, line 25, shows the relationship between record time

Art Unit: 2621

code(STC, FTC) the real time code VITC. Therefore, when user request to playback a frame specified by the VITC time code, the server can refer to the management table of figure 6 to read out the corresponding frame in the file of memory using the recording time code (STC, FTC). Also see column 16, line 56- column 17, line 14.

Applicant also argues, see page 8 of the remark, Abe also fails to teach "identifying means performs determination whether the first position information of the playback frame which is specified by the playback instruction exists in each status section and a status section which is grouped by the plurality of consecutive frames with matching status information.

Column 1, line 56- column 2, line 2 of Abe teach "when accessing to the frame of the desired audio/video signal out of audio/video signal combined and recorded in the file, if these STC and FTC would be shown to the server device, the frame audio/video signal specified base on these STC and FTC can be read out". also column 16, lines 14-39 and figure 10, Abe teach "displaying the stamped picture having the same real time code..." "...The editing device 42 judges whether the lural number of real time codes specified exist in the file to be accessed or not..." and "By **displaying the stamped picture having the same real time code** conducting said processing procedure..."

Applicant argues, see page 9 of the remark, Abe fail to teach playback frame...base on a result of the determination. The Examiner disagrees.

column 16, lines 14-39 and figure 10 of Abe, teach a process of accessed desired frame using the time code. The time code must be determined by the system as

Art Unit: 2621

"same real time code" to be display "By **displaying the stamped picture having the same real time code** conducting said processing procedure..."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daquan Zhao whose telephone number is (571) 270-1119. The examiner can normally be reached on M-Fri. 7:30 -5, alt Fri. off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tran Thai Q, can be reached on (571)272-7382. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Daquan Zhao/  
Examiner, Art Unit 2621

/Thai Tran/  
Supervisory Patent Examiner, Art Unit 2621